

**Call to Order:**

The meeting was called to order at 7:10 p.m. Present were Chairman, Paul Salafia, and members, Linn Anderson, Vincent Chiozzi, Joan Duff, John McDonnell, and associate member Mark Yanowitz; also present was Planner, Jacki Byerley.

**Celestial Circle:**

The Board opened the deliberations that were continued from the March 1<sup>st</sup> meeting on an application by Rayvon Realty Trust for a nine lot Definitive Subdivision Plan, entitled Celestial Circle, and a Special Permit for a Cluster Development and a Special Permit for Earth Movement, located off Sunset Rock Road.

**Porous Pavement:**

Ms. Byerley reviewed DPW's recommendation for the porous pavement, dated Jan. 28, 2010 and the University of New Hampshire report on porous pavement, dated December 7, 2010. Ms. Byerley reviewed her memo to the Board, dated March 31, 2010, which included her recommendation for inspections and vacuuming to occur in Mar., June, Sept., & Nov., as well as a reserved right of the Planning Board to revise the frequency of the inspections and vacuuming. The Board suggested having quarterly reports submitted to the Planning Department after every vacuuming for the 1<sup>st</sup> year for a base line; then moving forward to make adjustments as necessary. Specific Condition #49, regarding inspection of the installation of the porous pavement, was acceptable to the Board.

**Screening/Landscaping:**

Ms. Byerley reviewed the landscape plan, the street trees, and the island landscape, which will be maintained by the homeowners' association (HOA). Ms. Byerley also noted that the applicant has agreed to add screening on the property of 30 Sunset Rock Road. The Board reviewed condition # 51 regarding the addition of screening at 30 Sunset Rock Rd., and suggested the second to last sentence of condition #51 be changed to read: "Any deviation of the offered landscaping scheme shall be mutually agreed upon by the applicant and present property owner of 30 Sunset Rock Road (Map 79 Lot 11G)."

**Earth Movement:**

Ms. Byerley reviewed her memo to the Board dated March 1, pages 10, 11 and 12, which outlined the criteria for a Special Permit for Earth Movement.. Mr. Yanowitz reviewed a report dated July 20, 2009 for the non-cluster development which estimated earth movement of 5,000 cu. yards versus the cluster development which would require earth movement of only 1,000 cu. yards. Ms. Byerley noted that truck routes are determined by the Inspector of Buildings, but the Planning Board limits the timing of hauling to the last morning pick up time of the schools and the first afternoon drop off. The Board wanted condition # 21 strengthened regarding the safety of school children and suggested no hauling activities be permitted during the queuing on Sunset Rock Road at the entrance to the Pike School. Ms. Byerley reviewed the traffic report from Ken Cram, dated June 18, 2009, including the information on peak hours. The Board reviewed the traffic recommendations from the Safety Officer and the traffic consultant. They also discussed the queuing at the entrance to the Pike School, and the traffic associated from the proposed subdivision.

**Celestial Circle (cont.):****HOA documents & related expenses:**

Ms. Byerley reviewed the draft HOA documents that were submitted to address questions regarding costs associated with the maintenance of the porous pavement.. Ms. Byerley noted the applicant must show proof that a maintenance account has been setup as outlined in condition # 24. Ms. Byerley reviewed condition # 52 relating to trash and recycling pickup. Ms. Anderson suggested cross referencing conditions 24 and 52. Ms. Anderson also noted that an abutter brought up the concern that homeowners might not be aware that the subdivision is not an economically viable place to live. The Board noted that the economic feasibility of a subdivision is not within the Board's purview.

**Tree Removal:**

Ms. Byerley reviewed a letter to the Board from Randy Pickersgill, Andover's Tree Warden, dated October 22, 2009. Mr. Pickersgill noted that a tree hearing is required for tree removal, but only after the subdivision process is complete. Ms. Byerley noted that prior to the start of construction, the applicant must have a tree hearing. Ms. Anderson suggested the Board send a letter of support to the tree warden regarding the tree removal and how it affects the subdivision.

**Proposed Roadway Location:**

The Board discussed a concern by an abutter regarding the roadway location. It was noted that the roadway is 180' away from the Pike School driveway, which meets the zoning requirements. The Board also noted that it is not within the Board's purview to plan or design subdivisions; the Board does ensure that the applicant's design meets or exceeds the Town's rules and regulations. The Board also reviewed the criteria for issuance of a special permit.

**Waiver Requests:**

The Board reviewed the waiver requests from section VI.2, VI.E, VI.D, and VII.N. The Board discussed the waiver for elimination of the sidewalks and suggested a condition for a bus stop pad. The Board was in consensus that the applicant shall install a pad if necessary, if the pickup of students occurs on Sunset Rock Road

Ms. Byerley reviewed condition # 33 regarding berms of type and/or under drains, which may be required during construction if warranted by field conditions.

Ms. Byerley reviewed section III.E.3. Submission of Mylars; Ms. Byerley noted the applicant did not apply for a waiver from this section but it has been the Board's standard practice to accept Mylars from the applicant only after the 20 day appeal period. Ms. Byerley stated that the Board on its own motion can grant a waiver from this section.

**Disposition of Open Space:**

Ms. Byerley reviewed the memo dated November 10, 2010 from Alix Driscoll, who represented the Conservation Commission. The memo was in regard to the disposition of open space and signage for the open space. The Board reviewed condition # 35 in Ms. Byerley memo to the Board, dated March 31, 2010. The Board suggested that parcels A & B be conveyed first to the Conservation Commission; if the Conservation Commission declines the offer of the land, it will

**Celestial Circle (cont.):**

be offered to AVIS. The Board also recommended a post and rail fence and signage at lot 6 & 7; the Board also wants signage at the lot 4 access. Ms. Byerley reviewed the plans for the access way to the detention basin which will be a gravel base and grass over the top. The Board was in consensus the access over lot 4 should be clearly delineated and signed. Ms. Byerley reviewed the Conservation Commission's request for an access easement over the water line easement from lot 6 through the property on Timothy Drive. The Board discussed the request and felt that the location of such an easement would be so close to the existing house on Timothy Drive that it would encroach on the Timothy Drive homeowner's privacy.

Ms. Byerley noted a new condition needs to be added that provides the town an easement to pass and re-pass over the private way.

**Special District Requirements:**

Ms. Anderson reviewed an excerpt from Ms. Byerley's memo to the Board, dated March 1<sup>st</sup>, section 4.1.4. and section 4.1.4.5. Ms. Anderson mentioned a previously submitted conventional plan which had undergone a full drainage review, and then compared it to the plan the Board is currently reviewing. Based on this comparison, Ms. Anderson noted that the current plan is a much better design. The Board discussed the merits of the current plan. Mr. Yanowitz noted that the plan is almost a balanced site, and it requires less earth movement.

Ms. Byerley reviewed the Conservation Commission Orders of Conditions, condition # 22 regarding blasting.

The Board reviewed section 9.4. Special Permits. Ms. Anderson reviewed each requirement 9.4.2, and the Board discussed how each section applied to the material that has been submitted. The Board was in consensus that the proposed cluster subdivision is in compliance with all criteria set forth in section 9.4.2 of the by-law.

Ms. Byerley noted that the subdivision rules and regulations have already been discussed at the March 31<sup>st</sup> meeting and section VI Design Standards and Section VII Construction Standards has been reviewed by DPW. The DPW is satisfied.

The Board agreed to continue the deliberation at the April 13<sup>th</sup> listed under Other Business.

**Adjournment:** The Board voted to adjourn the meeting at 8:42 p.m.